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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,201	03/01/2002	Toshiaki Hayashi	021525-000200US	8595

7590 01/29/2004
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EXAMINER

NGUYEN, HUNG T

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 01/29/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/087,201

Applicant(s)

HAYASHI ET AL.

Examiner

Hung T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman (U.S. 5,847,704) in view of Shimizu et al. (U.S. 5,801,667).

Regarding claim 1, Hartman discloses a graphical display (22) apparatus for motor vehicles [figs.2-3, col.3, lines 24-52] comprising:

- a display (62) coupled to an interior portion of a motor vehicle and facing a driver of the motor vehicle, the display being coupled to an output for identifying a velocity value of the motor vehicle [figs.2-3, col.3, lines 24-52];
- a first graphical display portion (62) of the display for outputting a first current speed indication (64) of the motor vehicle using a first convention, the first display portion for the current speed indication being coupled to the output as miles per hour (from zero to 110 MPH) which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52];
- a second graphical display portion (62) of the display for outputting a second current speed indication (64) of the motor vehicle using a second convention, the second display portion being coupled to the first display portion such that the first current speed indication in the first

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convention is aligned to the second current speed indication in the second convention as kilometers per hour (from zero to 180 KM/) which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52].

Hartman fails to disclose the first graphical display portion comprises a first annular structure that appears to resolve about a fixed axis and displays the current speed indication on the first annular structure.

Shimizu teaches a vehicle display device including an information display unit (5) for displaying a speed indication (9) is a structure that appears to resolve about a fixed axis. The information display unit (5) has a rotational drum (7) on which patterns, color or the like are provided and it is designed so that the driver can visually recognize variation of the pattern such as the color or something else. Those skilled in the art may recognize that the velocity or speed of the vehicle can be utilized in annular configuration technique which displaying on the annular configuration structure for showing the current speed as desired which is shown in fig.1, col.1, lines 11-41 .

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Shimizu in the system of Hartman for using an annular configuration and giving an appearance of rotation about fixed axis based upon the velocity information as the speed of the automobile changes.

Regarding claim 2, Hartman discloses the first convention is miles per hour and the second convention is kilometers per hours [figs.2-3, col.3, lines 24-52].

Regarding claim 3, Hartman discloses the first current speed indication (MPH) is larger in size than the second current speed indication [figs.2-3, col.3, lines 24-52].

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Regarding claim 4, Although Hartman does not mention the display is selected from a CRT, a flat panel display, an active matrix display, or a plasma display as claimed by the applicant .

Hartman clearly teaches the display unit (62) for displaying a plurality of analog dials on the screen (22) includes a speedometer dial (64) for showing both miles per hour and kilometers per hours are the outputs for identifying the velocity values of the motor vehicle to the driver whom operate the vehicle , fuel gauge (70) , compass (66), and so on, each of the dial having general a planar face is generally parallel to the screen [figs.2-3, col.3, lines 24-52 and col.4, lines 50-59].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Hartman & Shimizu includes the display unit having an image of the speedometer is an analog feature for providing & identifying useful and accurate information to the driver as velocity value of the motor vehicle .

Regarding claim 5, Hartman discloses the motor vehicle is an automobile / motor vehicle [figs.2-3, abstract and col.3, lines 24-52].

Regarding claim 6, Hartman fails to specifically mention the second graphical display portion comprises a second annular structure that appears to resolve about the fixed axis and displays the second current speed indication on the second annular structure.

Shimizu teaches the vehicle display device including an information display unit (5) for displaying a speed indication (9) is a structure that appears to resolve about a fixed axis. The information display unit (5) has a rotational drum (7) on which patterns, color or the like are provided and it is designed so that the driver can visually recognize variation of the pattern such as the color or something else. Those skilled in the art may recognize that those annular structures can be utilized with the velocity or speed of the vehicle for showing a plurality of

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speed in the plurality of graphical displays in the plurality of annular structure as desired which is disclosed in fig.1, col.1, lines 11-41.

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Shimizu in the system of Hartman for having a plurality of annular configuration and providing a plurality the velocity informations as the speed of the automobile changes.

Regarding claim 7, The first and second of the graphical display portion must be sized differently in order showing their speed informations could be recognized by the skilled in the art as disclosed in the reference of Shimizu [fig.1, col.1, lines 11-41].

Regarding claim 8, Hartman discloses the first current speed indication is among a range of speeds from zero to greater than 100 miles per hour [figs.2-3, col.3, lines 24-52].

Regarding claim 9, Hartman does not disclose the second current speed indication is among a range of speeds from zero to 200 kilometers per hour .

However, Hartman does teach the second current speed indication is among a range of speeds from zero to 180 kilometers per hour [figs.2-3, col.3, lines 24-52 and col.4, lines 50-59].

Today, in this modern world , the vehicle speed indication may go up to 250 kilometers per hour or more depend on the vehicles capability include popular branch names such as V6 Honda Accord , V6 Toyota Camry , Infinity G 35, Lexus, etc.

Therefore, it would have been obvious that the second current speed indication depending range in a system as taught by Hartman & Shimizu depend on the vehicles capability maximum speed so that if the vehicle is capable of 200 or more Km/h, the indicated speed gauge should be from 0 to 200 plus km/h .

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Regarding claim 10, Hartman discloses the first current speed indication and second current speed indication are displayed simultaneously which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52].

Regarding claim 11, Hartman discloses a method for displaying engine characteristic of motor vehicle [figs.2-3, col.3, lines 24-52] comprising:

- receiving velocity information (62) from an interface couple to an engine of an operating motor vehicle, the velocity information corresponding to only one of a plurality of velocities ranging from zero to greater 100, the velocity information corresponding to one of the plurality of velocities of the operating motor vehicle at a present time of receiving the velocity information [figs.2-3, col.3, lines 24-52];
- a first graphical display portion (62) of the display for outputting a first current speed indication of the motor vehicle using a first convention, the first display portion for the current speed indication being coupled to the output as miles per hour (from zero to 110 MPH) which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52];
- converting the velocity information into velocity display format / a second graphical display portion (62) of the display for outputting a second current speed indication of the motor vehicle using a second convention, the second current speed indication in the second convention as kilometers per hour (from zero to 180 KM/) which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52].

Hartman fails to specifically disclose a displaying using an annular configuration a first velocity indication in the first convention giving an appearance of rotation about a fixed axis based upon the velocity display format, the first velocity indication being one of the velocities

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based upon the velocity information of the operating motor vehicle and being displayed on the annular configuration.

Shimizu teaches a vehicle display device including an information display unit (5) for displaying a speed indication (9) is a structure that appears to resolve about a fixed axis. The information display unit (5) has a rotational drum (7) on which patterns, color or the like are provided and it is designed so that the driver can visually recognize variation of the pattern such as the color or something else. Therefore, those skilled in the art may recognize that the velocity or speed of the vehicle can be utilized in annular configuration technique which displaying on the annular configuration structure for showing the current speed as desired which is shown in fig.1, col.1, lines 11-41 .

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Shimizu in the system of Hartman for using an annular configuration and giving an appearance of rotation about fixed axis based upon the velocity information as the speed of the automobile changes.

Regarding claim 12, The display (62) for outputting a first current speed indication (64), the first display portion for the current speed indication being coupled to the output as miles per hour (from zero to 110 MPH) which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52].

Regarding claim 13, Hartman discloses the first velocity indication as miles per hours (MPH) being coupled to the second velocity indication as kilometers per hours (KM/) in the speedometer unit (64) [figs.2-3, col.3, lines 24-52].

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Hartman fails to disclose a displaying using an annular configuration a second velocity in a second convention giving an appearance of rotation about the fixed axis based upon the velocity display format.

Shimizu teaches the vehicle display device including an information display unit (5) for displaying a speed indication (9) is a structure that appears to resolve about a fixed axis. The information display unit (5) has a rotational drum (7) on which patterns, color or the like are provided and it is designed so that the driver can visually recognize variation of the pattern such as the color or something else. Those skilled in the art may recognize that those annular structures can be utilized with the velocity or speed of the vehicle for showing a plurality of speed in the plurality of graphical displays in the plurality of annular structure as desired which is disclosed in fig.1, col.1, lines 11-41.

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Shimizu in the system of Hartman for having a plurality of annular configuration and providing a plurality the velocity informations as the speed of the automobile changes.

Regarding claim 14, In fig.1, Shimizu shows the vehicle display device including an information display unit (5) for displaying a speed indication (9) is an structure that appears to resolve about a fixed axis as the speed of the vehicle changes, the display portions appear to rotate and provides an appearance of movement.

Regarding claim 15, Hartman discloses the display portion (62) for outputting a first current speed indication (64), the first display portion for the current speed indication being coupled to the output as miles per hour (from zero to 110 MPH) which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52].

Regarding claim 16, In fig.1, it is seen that the fixed axis is perpendicular to the annular configuration is disclosed by Shimizu.

Regarding claim 17, Hartman discloses the method for displaying engine characteristic of motor vehicle [figs.2-3, col.3, lines 24-52] comprising:

- a first graphical display portion (62) of the display for outputting a first current speed indication (64) of the motor vehicle using a first convention, the first display portion for the current speed indication being coupled to the output as miles per hour (from zero to 110 MPH) which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52];
- a second graphical display portion (62) of the display for outputting a second current speed indication (64) of the motor vehicle using a second convention, the second display portion being coupled to the first display portion such that the first current speed indication in the first convention is aligned to the second current speed indication in the second convention as kilometers per hour (from zero to 180 KM/) which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52];
- the first current speed indication (MPH) and second current speed indication KM/) are displayed simultaneously which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52].

Regarding claim 18, Hartman discloses the first convention is miles per hour and the second convention is kilometers per hours [figs.2-3, col.3, lines 24-52].

Regarding claim 19, Hartman discloses a graphical display (22) apparatus for motor vehicles [figs.2-3, col.3, lines 24-52] comprising:

- a display (62) coupled to an interior portion of a motor vehicle and facing a driver of the motor vehicle, the display being coupled to an output for identifying a velocity value of the motor vehicle [figs.2-3, col.3, lines 24-52];
- a first graphical display portion (62) of the display for outputting a first current speed indication (64) of the motor vehicle using a first convention, the first display portion for the current speed indication being coupled to the output as miles per hour (from zero to 110 MPH) which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52];
- a second graphical display portion (62) of the display for outputting a second current speed indication (64) of the motor vehicle using a second convention, the second display portion being coupled to the first display portion such that the first current speed indication in the first convention is aligned to the second current speed indication in the second convention as kilometers per hour (from zero to 180 KM/) which a measurement of a vehicle speed is indicated by a moving needle or pointer [figs.2-3, col.3, lines 24-52].

Hartman fails to specifically disclose the first graphical display portion comprises a first annular structure that appears to resolve about a fixed axis and a second annular structure that appears to resolve about a fixed axis.

Shimizu teaches the vehicle display device including an information display unit (5) for displaying a speed indication (9) is a structure that appears to resolve about a fixed axis. The information display unit (5) has a rotational drum (7) on which patterns, color or the like are provided and it is designed so that the driver can visually recognize variation of the pattern such as the color or something else. Those skilled in the art may recognize that those annular structures can be utilized with the velocity or speed of the vehicle for showing a plurality of speed in the plurality of graphical displays in the plurality of annular structure as desired which is disclosed in fig.1, col.1, lines 11-41.

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Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Shimizu in the system of Hartman for having a plurality of annular configuration and providing a plurality the velocity informations as the speed of the automobile changes.

Regarding claim 20, The first and second of the graphical display portion must be sized differently in order showing their speed informations could be recognized by the skilled in the art as disclosed in the reference of Shimizu [fig.1, col.1, lines 11-41].

Response to Arguments

3. Applicant's arguments filed on Oct. 2, 2003 respect to claims 1-18 have been fully considered but are moot in view of the new ground(s) of rejection .

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

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will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (703) 308-6796. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (703) 305-4717. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Brent Swarthout

Examiner: Hung T. Nguyen

Date: Jan. 20, 2004

**BRENT A. SWARTHOUT
PRIMARY EXAMINER**